

# Notice of Allowability

Application No.

10/642,576

Examiner

Sin J. Lee

Applicant(s)

MOMOTA, MAKOTO

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7-5-2005.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### REASONS FOR ALLOWANCE

1. In view of applicant's statement of common ownership with respect to present invention, Momota et al'562 and Tan et al'470, previous 103(a) rejection on claims 1-8 over Momota et al'562 in view of Tan et al'470 is hereby withdrawn.

2. The following is an examiner's statement of reasons for allowance: Sato et al (5,800,964) teaches a positive photoresist composition containing (i) a hydroxyl-containing alkali-soluble resin of which the hydroxyl groups are protected by acid-dissociable substituent groups (such as ethoxyethoxy group) and (ii) an oxime sulfonate compound of the formula  $\text{NC-CR}^1=\text{N-O-SO}_2\text{-R}^2$ , in which  $\text{R}^1$  and  $\text{R}^2$  are independently an unsubstituted or halogen-substituted monovalent aliphatic hydrocarbon group (e.g., alkyl, cycloalkyl, alkenyl and cycloalkenyl group). Therefore, Sato'964 teaches present positive photoresist composition except for the component (C), a fluoroaliphatic group-containing polymeric compound containing repeating units derived from the monomer of present formula (2). Miyashita (JP 10-139747 and its machine-assisted English translation provided by Japan Patent Office) teaches (see abstract and claim 1 of English translation) a polymer film made from the compound of formula  $\text{CH}_2=\text{C}(\text{R}_1)\text{-CONH-(CH}_2)_n\text{-R}_2$  in which  $n$  is 0-2 and  $\text{R}_2$  is perfluoroalkyl group of 1-14 carbon atoms. In [0020] and [0021], Miyashita teaches forming a resist from such polymer film. However, Miyashita's such resist is negative-working. That is, when exposed to light, an exposed portion is crosslinked and remains after a development step whereas an unexposed portion is dissolved in a developer solvent. Therefore, one skilled in the art would not be motivated to add Miyashita's polymer into Sato's positive photoresist

composition. Thus, Sato in view of Miyashita does not teach or suggest present positive photoresist composition of claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sin J. Lee whose telephone number is 571-272-1333. The examiner can normally be reached on Monday-Friday from 9:00 am EST to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly, can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*S. J. Lee*

S. Lee  
July 19, 2005

*Sin J. Lee*  
**SIN LEE**  
**PRIMARY EXAMINER**